

Notice of Allowability

Application No.

10/635,644

Examiner

George R. Koch III

Applicant(s)

KAMATA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/24/2004.
2. ☒ The allowed claim(s) is/are 3 and 5-8.
3. ☒ The drawings filed on 24 November 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/24/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Hanson on 2/14/2005.

The application has been amended as follows:

Claim 7, line 1, delete "4", insert --3--.

Claims 1 and 2 are cancelled.

2. Applicant's confirmation of the election of group II, claims 3-8 in the reply filed on 11/24/2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

3. This application is in condition for allowance except for the presence of claims 1 and 2 to an invention being treated as non-elected without traverse. Accordingly, claims 1 and 2 been cancelled.

Drawings

4. The drawings were received on 11/24/2004 (replacing sheet 2, with Figures 2 and 6 and sheet 4, with Figures 4 and 4). These drawings are approved.

Allowable Subject Matter

5. The following is an examiner's statement of reasons for allowance: Katzschner, Gemelli, Unterberger, Smyczek and the admitted prior art as applied in the previous office action (mailed 8/24/2004) disclose many of the limitations of claim 3 in an electrical cable coating apparatus, including detection means (see item DG of Katzschner) for measuring a moving speed of the electrical cable, various coating structures that can function as the colorant jetting and coating liquid jet means (all 5 references), the concept of dual control structures (see Gemelli, items 30 and 32) which provides for an apparatus with two different jet applying capabilities, and generic control devices (all references). Furthermore, Nishikawa (US Patent 6,106,623) discloses that it is known have an apparatus with structures for printing on a moving substrate, and structures for applying a coating over the printed section, and an apparatus for controlling the operation.

However, none of the references discloses that the control means for controlling the coating liquid jet means to jet a given amount of coating liquid on the colorant coated on the outer surface of the electrical cable to deposit the colorant on the outer surface based on the distance and the and the electrical cable moving speed measured by the detection means. While Katzschner, Gemelli, Unterberger, Smyczek and the admitted prior art disclose various pieces of the structure and controlling of one

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coating/colorant material based on speed, there is no suggestion that would make obvious the controller functioning to control in the second application based on the speed and distance. Furthermore, Nishikawa, which does disclose controlling of the downstream coating application onto a first printing (i.e., colorant applying) operation, does not disclose any speed controlling operations.

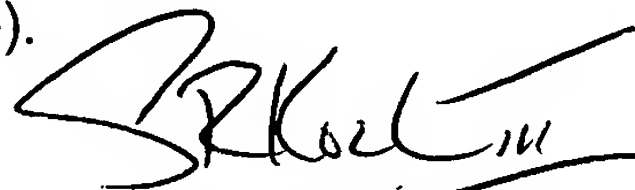
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-866-377-8642 and giving the operator the above TDD number. The examiner can normally be reached on M-Th 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

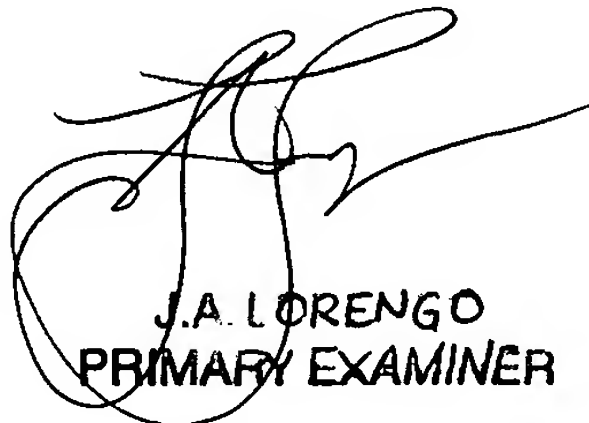
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George R. Koch III
Patent Examiner
Art Unit 1734

GRK
2/12/2005



J.A. LORENZO
PRIMARY EXAMINER